

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

EARNELL HUNT,

Plaintiff,

v.

GEICO,

Defendant.

No. 2:25-cv-1565 AC

ORDER

Plaintiff is proceeding in this action pro se and this action was accordingly referred to the undersigned for pretrial matters by E.D. Cal. R. (“Local Rule”) 302(c)(21). Both parties subsequently consented to magistrate jurisdiction, and the case was assigned to the undersigned for all purposes. ECF No. 11.


On June 11, 2025, defendant filed a motion to dismiss this case. ECF No. 3. Plaintiff did not respond. Concerned that plaintiff had abandoned this case, the court issued an order to show cause within 14 days why this action should not be dismissed for failure to prosecute. ECF No. 10. Plaintiff was cautioned that failure respond would lead to this case being dismissed. Plaintiff again did not respond. Plaintiff has not responded to the court’s orders, nor taken any action to prosecute this case.

In determining that this action be dismissed for failure to prosecute, the court has considered “(1) the public’s interest in expeditious resolution of litigation; (2) the court’s need to

1 manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring
2 disposition of cases on their merits; and (5) the availability of less drastic alternatives.” Ferdik v.
3 Bonzelet, 963 F.2d 1258, 1260-61 (9th Cir. 1992) (citation omitted). Because this case cannot
4 move forward without plaintiff’s participation, the court finds the factors weigh in favor of
5 dismissal.

6 Therefore, IT IS HEREBY ORDERED that this action be dismissed, without prejudice,
7 for lack of prosecution and for failure to comply with the court’s order. See Fed. R. Civ. P. 41(b);
8 Local Rule 110.

9 DATED: July 15, 2025

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11 ALLISON CLAIRE
12 UNITED STATES MAGISTRATE JUDGE
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